



The Honorable  
Christopher A. Hart  
Acting Chairman

# Outline

- NTSB Investigations
- ICAO Investigations
- Harmonization Challenge



# NTSB 101

- Independent federal agency, investigate transportation mishaps, all modes
- Determine probable cause(s) and make recommendations to prevent recurrences
- Primary product: Safety recommendations
- Favorable response > 80%
- *SINGLE FOCUS IS SAFETY*
- Independence
  - Political: Findings and recommendations based upon evidence rather than politics
  - Functional: No “dog in the fight”



# NTSB Investigations

- NTSB usually in charge of investigation
  - Coast Guard often in charge re maritime mishaps
- Exception: Criminal activity
  - NTSB requests FBI to lead, as criminal investigation
  - NTSB provides technical support, as requested
  - Facts no longer freely disclosed



# Role of On-Scene Member

- Primary Member role is media liaison
  - May also be political liaison
- Facts are very sensitive, important to have NTSB as the only source to the media
  - Unbiased
  - In context of the big picture
- Important to avoid speculation



# Keeping the Public Informed

- Objective: *TRANSPARENCY* of the facts and the process
  - Factual information is placed in the public docket (except proprietary information, as appropriate)
  - Sunshine Act requires Board deliberations to occur in public
  - Final NTSB accident report is also public

*BUT . . .*

- Final NTSB accident report is *not admissible in court*



# NTSB Process

- NTSB designates parties for technical assistance, e.g., airline, manufacturer, pilot's union, ATC, FAA, others as needed
- Fact phase: Parties collaborate to develop factual reports
- Analysis: No collaboration, just NTSB
  - Parties (and public) invited to submit their own analysis
  - NTSB does not share analysis, probable cause, or recommendations with parties until they are made public upon final Board vote



# ICAO Process

- Chicago Convention determines which State leads the investigation, which other States can participate as Accredited Representatives
- Accredited Representative States typically participate via their accident investigation agency
- Accredited Representatives name technical advisors, e.g., airline, manufacturer, others as needed
- Complete report given to Accredited Representatives for review and comment before public issuance





# Process Inconsistency

- Aviation accidents are increasingly international
- For accidents in the U.S., NTSB uses its historic process for U.S. parties, ICAO process for Accredited Representatives
- Result: Some parties see analysis before it is made public, others don't, e.g.,
  - Landing on the Hudson
  - Birmingham
  - Boeing 787 battery



# The Harmonization Challenge

- NTSB independence and transparency are important for public confidence
  - Independence: NTSB is unbiased; how can parties provide comments re our analysis without introducing bias?
  - Transparency: If we shared our analysis with the parties before making it public, should party submissions re our analysis be made public, as Board deliberations are, under the Sunshine Act?
- How can NTSB process be harmonized with ICAO process without losing independence and transparency?



Thank You

***Questions?***



National Transportation Safety Board